

**IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF NEW MEXICO**

JAMES DURAN,

Plaintiff,

v.

CIV 15-0495 KK/KBM

RICK ROMERO, individually and
In his capacity as an officer with the
County of Taos Sheriff's Department,

Defendant.

ORDER TO SHOW CAUSE

THIS MATTER comes before the Court *sua sponte*. The Court scheduled a telephonic status conference for October 20, 2015, at 2:00 p.m. *Doc. 47*. Attorney Michael Dickman appeared on behalf of Defendant Rick Romero. Plaintiff James Duran, *pro se*, did not appear. The record reflects that the Court's Order vacating a previous status conference and resetting it for October 20, 2015, was mailed to Plaintiff at his address of record, P.O. Box 3201, Taos, NM 87571. *Doc. 47*.

The Court is ordinarily inclined to simply reschedule status conferences when counsel or *pro se* parties fail to appear. Here, however, Plaintiff is already subject to a separate Order to Show Cause issued by the Honorable Kirtan Khalsa, after he failed to appear at a telephonic trial scheduling conference before her on September 28, 2015. *Doc. 46*. Plaintiff's failure to appear at two

status conferences ordered by the Court suggests that he may be unwilling to meet his litigation obligations or the orders of this Court.

IT IS THEREFORE ORDERED that Plaintiff must show cause, in a written document to be filed with the Court within fourteen (14) days of entry of this Order, why he failed to appear for this Court's October 20, 2015 Status Conference. Plaintiff is hereby given notice that failure to appear for court-ordered hearings, including telephonic Status Conferences, may result in sanctions up to and including dismissal of this action for failure to prosecute it.

IT IS SO ORDERED.



UNITED STATES CHIEF MAGISTRATE JUDGE